

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARK EVERETT STOREY,

Petitioner,

CASE NO. 2:06-13194

v.

DOUGLAS VASBINDER,

PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Respondent.

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**ORDER DENYING MOTION FOR JUDGMENT ON THE PLEADINGS**

Petitioner has filed a Motion for Judgment on the Pleadings, alleging that Respondent failed to file a timely answer to the Habeas Corpus Petition. The Court ordered Respondent to file a responsive pleading by January 22, 2007. Instead of filing a responsive pleading on that date, Respondent filed a motion to extend the deadline by five days. The Court granted Respondent's motion, and on January 26, 2007, Respondent filed his answer to the Habeas Petition.

The Court may in its discretion extend a deadline if request is made before the expiration of the period originally prescribed. Fed. R. Civ. P. 6(b)(1). Respondent's motion to extend the deadline for filing a responsive pleading was timely filed. Accordingly,

IT IS ORDERED that Petitioner's motion for judgment on the pleadings is DENIED.  
The responsive pleading will be considered by the Court.

S/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: September 6, 2007

# CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on September 6, 2007.

S/Denise Goodine

Case Manager